

Remarks

The present Response is to the Office Action mailed 03/10/2009. Claims 20, 28, 31, and 39 are presented for examination.

Claim Rejections - 35 USC § 103

3. Claims 20 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ficco et al. U.S. Publication 2002/0035404 (hereinafter "Ficco"), Ramakrishnan et al. U.S. Patent 5,634,346 (hereinafter "Ramakrishnan") and Manchester et al. U.S. Publication 2005/0198233 (hereinafter "Manchester").

Referring to claims 20 and 31, Ficco teaches a system and method comprising an interactive interface presented on a display of a computer appliance having a Universal Serial Bus (USB) port (USB ports) (Ficco: page 4, paragraph 0049), enabling a user to select through the interactive display individual ones of a set of mechanical functions of a microprocessor-controlled device (users can use the GUI provided on the display of the STB to control functions and commands of microprocessor controlled devices such as a TV, air conditioning system, etc.) (Ficco: page 2, paragraph 0019 and page 3, paragraphs 0037-0038 and 0043), and to select specific time-of-day (TOD) for functions selected (users can set the time when functions are to start) (Ficco: page 3, paragraph 0043); wherein the computer appliance saves the TOD selected for each mechanical function selected, in a form compatible with and recognizable by the microprocessor-controlled device, to be transferred to the microprocessor-controlled device (information pertinent to a particular device may be stored in storage and transmitted to the device in a compatible format, i.e. in a script designated for the particular device) (Ficco: page 2 paragraph 0019, page 8, paragraph 0089 and page 11, paragraph 0124). However, Ficco fail to explicitly teach selecting the starting or stopping times for the mechanical functions selected. Ramakrishnan teaches remote control of mechanical functions of a device (remotely controlling operations of an air conditioner) (Ramakrishnan: column 1, lines 45-49) similar to that of Ficco. In addition, Ramakrishnan further teaches selecting specific TOD

for starting or stopping the mechanical functions selected (the user sets the start and end times for the air conditioner)

(Ramakrishnan: column 1, lines 48-49 and column 5, lines 22-37), wherein the TOD selected for each mechanical function is saved (the controller saves. i.e. stores' the start and stop times set) (Ramakrishnan: column 1, lines 54-57 and column 5, lines 41-47). It would have been obvious to one of ordinary skill in the art, having the teachings of Ficco and Ramakrishnan before him at the time the invention was made, to modify the control and configuration of controlled devices of the home network of Ficco, to include controlling the AC system via setting the start and stop times for the system, as taught by Ramakrishnan, in order to obtain a home network system that allows users to program the start and stop times for a function of a controlled device via an interface of a computer appliance, to be saved and transferred to the controlled device. One would have been motivated to make such a combination in order to provide users with the flexibility of controlling equipments in a home network from anywhere in the world; such a combination further minimizes the need for repeated user involvement in controlling and operating equipments in a home network. However, although Ficco and Ramakrishnan teach a USB port and saving timing information to a storage device for transport to another device, Ficco and Ramakrishnan fail to explicitly teach a thumb drive flash memory unit including a USB connector so that the computer saves the TOD selected to the thumb drive through the USB port, the thumb drive to be carried to the microprocessor-controlled device and engaged to a USB port at the device to upload the timing information to the device. Manchester teaches a graphical user interface for configuring information to control functions of another device (the configuring program on a computer assists a user in generating configuration data for configuring a client) (Manchester: page 1, paragraph 0004 and page 4, paragraph 0032). In addition, Manchester further teaches a thumb drive flash memory unit including a USB connector so that the computer saves the selected data to the thumb drive through the USB port (user selected/generated configuration data are stored on a portable memory by inserting a USB flash drive into a USB port) (Manchester: page 4, paragraph 0032), the thumb drive

to be carried to the microprocessor-controlled device and engaged to a USB port at the device to upload the timing information to the device (the portable memory, i.e. USB flash drive is disconnected from the computer and transferred to another client device to be connected to the USB drive of the client device to load the configuration information to the client device, as shown in Figure 3) (Manchester: page 4, paragraphs 0032 and 0034). It would have been obvious to one of ordinary skill in the art, having the teachings of Ficco, Ramakrishnan and Manchester before him at the time the invention was made, to modify the storage of selected timing information for transfer to another device of Ficco and Ramakrishnan to include the transfer of stored information via a thumb drive flash memory unit, as taught by Manchester. One would have been motivated to make such a combination in order to quickly and easily provide devices with configuration settings without the need for a full-fledge user interface for interacting with the user on every device.

Applicant's response:

Applicant herein amends the claims in order to clarify that applicant's invention is actually reprogramming microprocessors integrated into and controlling the devices. Applicant points out that said microprocessors are typically controlling microprocessors which are original equipment of the device integrated at manufacturing.

Applicant points out that the art of Ficco and Ramakrishnan teach controlling devices outside of any onboard, integrated microprocessors by direct connection from an outside controller to power supplies, switches and drives of said devices. Applicant's invention reprograms the actual microprocessors in the devices in order to alter mechanical functions of said devices. The art of Manchester teaches a thumb drive which may upload network settings to the individual computers in order to control network functions of computers connected on a LAN or home networking system.

The Examiner states, "It would have been obvious to one of ordinary skill in the art, having the teachings of Ficco, Ramakrishnan and Manchester before him at the time the invention was made, to modify the storage of selected timing information for transfer

to another device of Ficco and Ramakrishnan to include the transfer of stored information via a thumb drive flash memory unit, as taught by Manchester. One would have been motivated to make such a combination in order to quickly and easily provide devices with configuration settings without the need for a full-fledge user interface for interacting with the user on every device.”

Applicant points out that in the art of Manchester, after uploading network information to the computers, the USB device is reconnected to the host computer in order to complete configuration thereby controlling the network from the host computer. Further, the microprocessors, if any, in devices of Ficco or Ramakrishnan are not capable of being reprogrammed, as claimed. Therefore, it would be impossible to combine the art in order to accomplish applicant’s invention. The only motivation for implementing a device such as taught in Manchester into control functions of mechanical devices having on-board microprocessor controllers can only be derived from hindsight implementation of applicant’s specification, because the programmable microprocessors of devices capable of mechanical functions, as claimed, are not shown in the art.

Therefore, applicant believes claims 20 and 31 are patentable over the art provided by the Examiner. Claims 28 and 39 are patentable on their own merits, or at least as depended from a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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